



PATENT
Customer No. 22,852
Attorney Docket No. 5725.0756-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Isabelle ROLLAT et al.) Parent Group Art Unit: 1615
Application No. 10/693,966) Parent Examiner: C. Evans
Filed: October 28, 2003)
For: RESHAPABLE HAIR STYLING)
COMPOSITION COMPRISING)
ACRYLIC COPOLYMERS)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION FOR A FILING DATE

Applicants hereby petition the Commissioner of Patents in accordance with the instructions provided by the Notice of Incomplete Nonprovisional Application ("Notice"), dated March 1, 2004, to obtain a filing date of October 28, 2003 for the above-referenced application. A copy of the Notice is enclosed herewith. Also in accordance with the Notice, Applicants are enclosing a check for \$130.00 to cover the fee for this Petition as set forth in 37 C.F.R. § 1.17(i). If any additional fee is required in connection with the filing of this Petition, please charge that fee to our Deposit Account No. 06-0916.

Applicants are filing the instant petition in response to the Notice of Incomplete Nonprovisional Application ("Notice"), dated March 1, 2004. The Notice states that a filing date has not been accorded to the above-referenced application,

because the specification, drawings, and oath or declaration were missing from the October 28, 2003, filing. Applicants respectfully disagree. According to the postcard stamped by the Office on October 28, 2003, the Office received a Continuation Application under Section 1.53(b), which further indicates that a copy of the prior application and declaration were included therewith. Applicants submit herewith a copy of the postcard. Accordingly, Applicants submission on October 23, 2003, complied with the Office's rules and procedures, and the application should be accorded a filing date of October 23, 2003.

Further, in accordance with the instructions of the Notice and in view of the above facts, Applicants hereby request a refund of the petition fee.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 9, 2004

By: 
Anthony A. Hartmann
Reg. No. 43,662

Enclosures: copy of Notice of Incomplete Nonprovisional Application
copy of Stamped Postcard